

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

UNITED STATES OF AMERICA and THE )  
STATE OF NORTH CAROLINA, EX REL. )  
STEPHEN GUGENHEIM, )

Plaintiff, )

v. )

**JUDGMENT**  
5:16-CV-410-BO

MERIDIAN SENIOR LIVING, LLC, MERIDIAN )  
SENIOR LIVING SERVICES, LLC, CHARLES )  
E. TREFZGER, JR., WP-ALBEMARLE )  
HEALTH HOLDINGS, LLC, BURLINGTON AL )  
HOLDINGS I, LLC, TAYLORSVILLE )  
HOUSE, LLC, WP-NEWLAND HEALTH )  
HOLDINGS, LLC, WP-WINDSOR HEALTH )  
HOLDINGS, LLC, LELAND HOUSE, LLC, )  
WP-YANCEYVILLE HEALTH HOLDINGS, )  
LLC, HICKORY HEALTH )  
INVESTORS, LLC, WP-HAYESVILLE )  
HEALTH HOLDINGS, LLC, CHI )  
HOLDINGS, LLC, DANBY HOUSE, LLC, )  
WP-WINSTON SALEM HEALTH HOLDINGS, )  
LLC, COUNTRY TIME INN, LLC, )  
WP-GASTONIA HEALTH HOLDINGS, LLC, )  
GATES HOUSE, LLC, GREENSBORO AL )  
HOLDINGS, LLC, GREENSBORO OPCO )  
HOLDINGS, LLC, GREENSBORO HEALTH )  
HOLDINGS, LLC, FUQUAY-VARINA )  
HEALTH HOLDINGS, LLC, HAYWOOD )  
HEALTH HOLDINGS, LLC, AHOSKIE )  
HOUSE, LLC, SKYLAND HOUSE, LLC, )  
CLAYTON HEALTH HOLDINGS, LLC, )  
MACON HEALTH HOLDINGS, LLC, MINT )  
HILL HEALTH HOLDINGS, LLC, )  
WP-CHARLOTTE HEALTH HOLDINGS, LLC, )  
CHARLOTTE HEALTH HOLDINGS, LLC, )  
MITCHELL HOUSE ONE, LLC, WEST END )  
HOLDINGS, LLC, CASTLE HAYNE AL )  
HOLDINGS, LLC, NEW HANOVER HOUSE, )  
LLC, RVHI, LLC, RV ASSISTED LIVING, LLC, )  
SHI-ORANGE, LLC, GRANTSBORO OPCO )  
HOLDINGS, LLC, BURGAW HEALTH )

HOLDINGS, WP-CLINTON HEALTH )  
HOLDINGS, LLC, ROSE TARA HOLDINGS, )  
LLC, WP-BREVARD HEALTH HOLDINGS, )  
LLC, CARY HEALTH HOLDINGS, LLC, WP )  
WENDELL HEALTH, LLC, WP-RALEIGH )  
HEALTH, LLC, ZHI, LLC, WILSON HOUSE, )  
LLC, WP-BURNSVILLE HEALTH HOLDINGS, )  
LLC, AFFINITY LIVING GROUP, LLC, )  
) )  
Defendants. )  
)

**Decision by Court.**

This cause comes before the Court on relator's motion for partial summary judgment and defendants' motion for summary judgment.

**IT IS ORDERED, ADJUDGED AND DECREED** that the motion by the North Carolina Senior Living Association for leave to file an amicus curiae brief in support of defendants [DE 149] is ALLOWED. Relator's motion to seal [DE 131] is GRANTED. Relator's motion for partial summary judgment [DE 132] is DENIED. Relator's motion for leave to file exhibits not capable of being filed electronically [DE 140] is DENIED AS MOOT. Relator's motion for extension of time to file substantive motions [DE 141] is GRANTED. Defendants' motion for summary judgment [DE 145] is GRANTED. Defendants' motion for extension of time to file their response to relator's motion for partial summary judgment [DE 159] is GRANTED.

This case is closed.

**This judgment filed and entered on April 21, 2020, and served on:**

Clifford Marshall (via CM/ECF Notice of Electronic Filing)  
Jeremy Williams (via CM/ECF Notice of Electronic Filing)  
Matthew Lee (via CM/ECF Notice of Electronic Filing)  
Jim Phillips, Jr. (via CM/ECF Notice of Electronic Filing)  
Michael Dowling (via CM/ECF Notice of Electronic Filing)  
D.J. O'Brien, III (via CM/ECF Notice of Electronic Filing)  
Jennifer Van Zant (via CM/ECF Notice of Electronic Filing)  
Kimberly Marston (via CM/ECF Notice of Electronic Filing)  
Christopher Anderson (via CM/ECF Notice of Electronic Filing)  
Joshua Royster (via CM/ECF Notice of Electronic Filing)  
Matthew Lee (via CM/ECF Notice of Electronic Filing)  
Steven McCallister (via CM/ECF Notice of Electronic Filing)

PETER A. MOORE, JR., CLERK

April 21, 2020

/s/Lindsay Stouch  
By: Deputy Clerk